

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

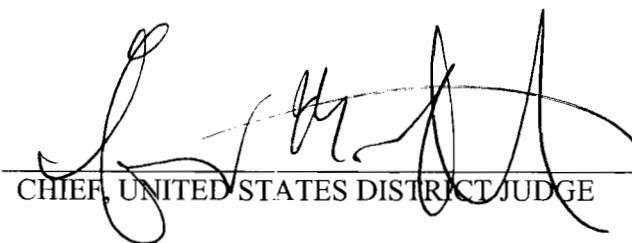
ABBOTT LABORATORIES and)
WISCONSIN ALUMNI RESEARCH)
FOUNDATION)
Plaintiffs,)
v.) C.A. No. 09-884 (GMS)
TEVA PARENTERAL MEDICINES, INC.,)
TEVA PHARMACEUTICALS USA, INC.,)
and TEVA PHARMACEUTICAL)
INDUSTRIES LTD.,)
Defendants.)

**[PROPOSED] ORDER OF DISMISSAL,
WITHOUT PREJUDICE, OF COUNTERCLAIMS**

This matter, having come before the Court on the parties' Stipulation of Dismissal, Without Prejudice, of Counts 1 and 2 of the Counterclaims of Teva Pharmaceuticals USA, Inc. and Counts 1 and 2 of the Counterclaims of Teva Parenteral Medicines, Inc.;

IT IS HEREBY ORDERED that Count 1 of the Counterclaims of Teva Pharmaceuticals USA, Inc., seeking a declaration of non-infringement of United States Patent No. 6,361,758; Count 2 of the Counterclaims of Teva Pharmaceuticals USA, Inc., seeking a declaration of invalidity of United States Patent No. 6,361,758; Count 1 of the Counterclaims of Teva Parenteral Medicines, Inc., seeking a declaration of non-infringement of United States Patent No. 6,361,758; and Count 2 of the Counterclaims of Teva Parenteral Medicines, Inc., seeking a declaration of invalidity of United States Patent No. 6,361,758 hereby are DISMISSED WITHOUT PREJUDICE.

2/18/10
DATE


CHIEF, UNITED STATES DISTRICT JUDGE

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